

REMARKS

The Official Action mailed April 8, 2008, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on December 12, 2003; February 25, 2004; September 21, 2004; May 10, 2005; April 21, 2006; March 13, 2007; and August 16, 2007.

A further Information Disclosure Statement was filed on April 16, 2008 (received by OIPE April 18, 2008), and consideration of this Information Disclosure Statement is respectfully requested.

A further Information Disclosure Statement is submitted herewith and consideration of this Information Disclosure Statement is respectfully requested.

Claims 1, 2, 4, 5, 7, 8, 10-12 and 14-33 were pending in the present application prior to the above amendment. Claims 1, 4, 7, 10 and 30-32 have been amended to better recite the features of the present invention, and new dependent claims 34-37 have been added to recite additional protection to which the Applicant is entitled. Accordingly, claims 1, 2, 4, 5, 7, 8, 10-12 and 14-37 are now pending in the present application, of which claims 1, 4, 7 and 10 are independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 4 of the Official Action continues to object to the title as not descriptive. The Applicant notes that the objection to the title does not specifically explain why the title, "IC CARD" is not descriptive. It is noted that the preamble of each claim recites "an IC card." In any event, in response, the title has been changed to "IC CARD INCLUDING DISPLAY DEVICE." If the presently amended title is not sufficiently descriptive, the Applicant respectfully requests that the Examiner further clarify why the

title is not descriptive or, if possible, suggest a title believed to be sufficiently descriptive. Reconsideration of the objection is requested.

Paragraph 6 of the Official Action rejects claims 30-32 under 35 U.S.C. § 112, noting a lack of antecedent basis for "at least one of the plurality of thin film integrated circuits." In response, the Applicant has amended claims 30-32 to recite "the thin film integrated circuit," which is positively recited in independent claims 1, 4 and 7, respectively. The Applicant respectfully submits that amended claims 30-32 are definite. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 112 are in order and respectfully requested.

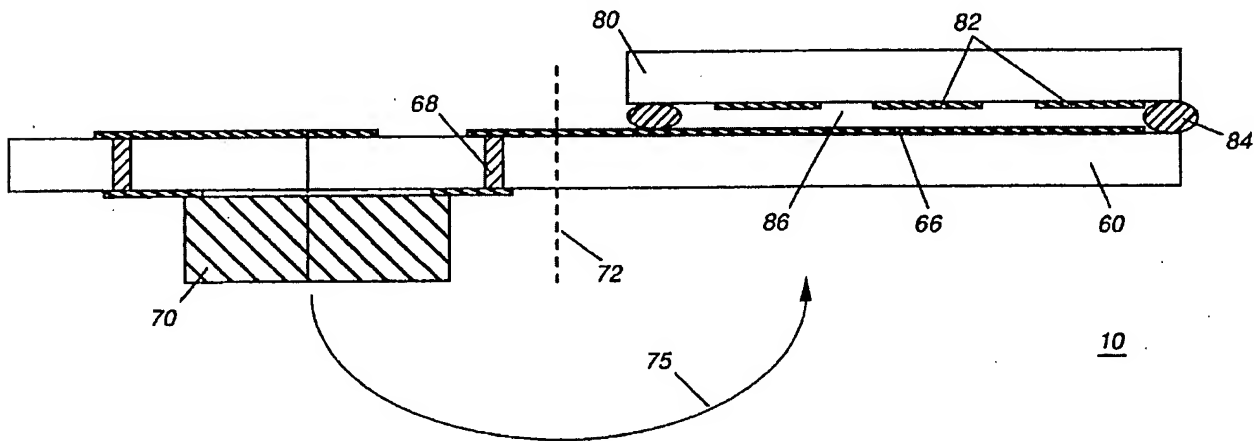
Paragraph 9 of the Official Action rejects claims 1, 2, 14, 15 and 30 as obvious based on the combination of U.S. Patent No. 5,436,744 to Arledge and U.S. Patent No. 5,567,967 to Kusumoto. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See

also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 1, 4, 7 and 10 have been amended to recite that a thin film integrated circuit comprises a memory and a CPU, which is supported in the present specification, for example, by page 1, lines 4-5; page 8, lines 2-4; and Figures 7 and 9. For the reasons provided below, Arledge and Kusumoto, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

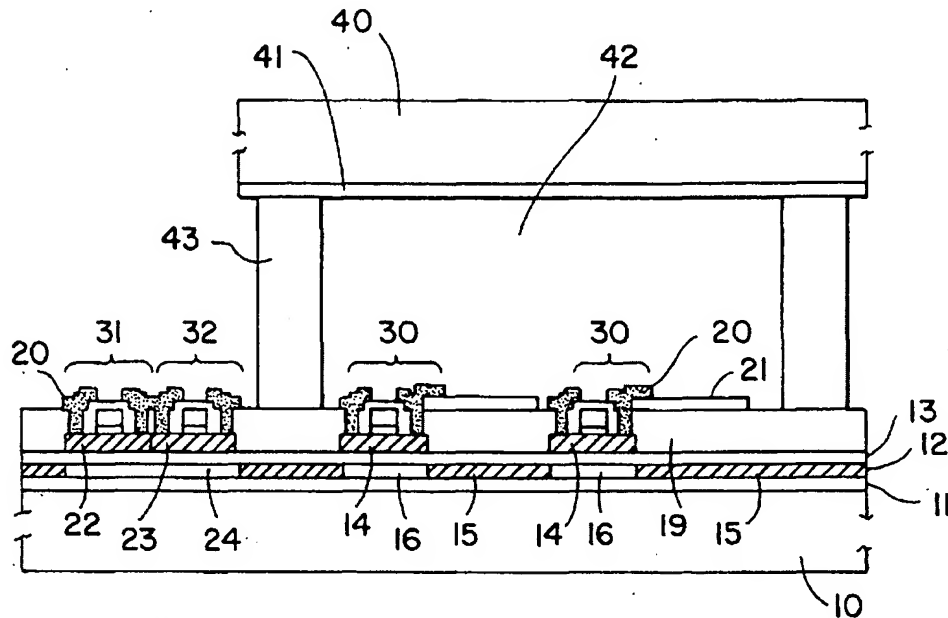
The Official Action asserts that Figure 5 of Arledge discloses "a thin film integrated circuit (70) equipped on the other side of the substrate [60]" (page 4, Paper No. 20080313; Figure 5 reproduced below).



That is, the Official Action is asserting that the display driver 70 of Arledge corresponds with the thin film integrated circuit of the present claims. However, Arledge does not teach or suggest that the display driver 70 could or should have a memory and a CPU.

The Official Action asserts that "Kusumoto discloses ... in Fig. 4 a LCD display (A) with a peripheral driving circuit (31, 32) where both use a polycrystalline

semiconductor layer (14, 22, 24) on the construction" (page 5, Paper No. 20080313; Figure 4 reproduced below).



That is, the Official Action is asserting that the peripheral driving circuit 31, 32 of Kusumoto corresponds with the thin film integrated circuit of the present claims. However, Kusumoto does not teach or suggest that the peripheral driving circuit 31, 32 could or should have a memory and a CPU.

Therefore, the Applicant respectfully submits that Arledge and Kusumoto, either alone or in combination, do not teach or suggest that a thin film integrated circuit comprises a memory and a CPU.

Since Arledge and Kusumoto do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Paragraph 17 of the Official Action rejects claims 4, 5, 7, 8, 10-12, 18, 19, 22, 23, 26, 27 and 31-33 as obvious based on the combination of Arledge, Kusumoto and page 2 of the present specification, which the Official Action refers to as "Applicant's Admitted Prior Art (AAPA)." Paragraph 30 of the Official Action rejects claim 16 as obvious based

on the combination of Arledge, Kusumoto and U.S. Patent No. 6,456,353 to Chen. Paragraph 35 of the Official Action rejects claim 17 as obvious based on the combination of Arledge, Kusumoto and U.S. Patent No. 6,019,284 to Freeman. Paragraph 41 of the Official Action rejects claims 20, 24 and 28 as obvious based on the combination of Arledge, Kusumoto, AAPA and Chen. Paragraph 46 of the Official Action rejects claims 21, 25 and 29 as obvious based on the combination of Arledge, Kusumoto, AAPA and Freeman.

There is no proper or sufficient reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify Arledge, Kusumoto and AAPA, Chen and/or Freeman or to combine reference teachings to achieve the claimed invention. MPEP § 2142 states that the examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness. It is respectfully submitted that the Official Action has failed to carry this burden. While the Official Action relies on various teachings of the cited prior art to disclose aspects of the claimed invention and asserts that these aspects could be used together, it is submitted that the Official Action does not adequately set forth why one of skill in the art would combine the references to achieve the features of the present invention.

The test for obviousness is not whether the references "could have been" combined or modified as asserted in the Official Action, but rather whether the references should have been. As noted in MPEP § 2143.01, "The mere fact that references can be combined or modified does not render the resultant combination obvious unless the results would have been predictable to one of ordinary skill in the art" (emphasis in original). KSR International Co. v. Teleflex Inc., 550 U.S. ___, ___, 82 USPQ2d 1385, 1396 (2007). Thus, it is respectfully submitted that the standard set forth in the Official Action is improper to support a finding of *prima facie* obviousness.

AAPA may teach that "[i]n recent years, an IC card has a highly sophisticated function by being provided with a CPU as well as a memory" (page 1, lines 17-18). However, the Applicant respectfully submits that one of ordinary skill in the art at the

time of the present invention would not have had sufficient reason to modify Arledge and Kusumoto in view of the statement at page 1, lines 17-18, to necessarily achieve the features of the present claims. Specifically, the Applicant respectfully submits that one of ordinary skill in the art at the time of the present invention would not, upon review of the statement at page 1, lines 17-18, be given sufficient reason to add a memory and a CPU to the display driver 70 of Arledge, or to the peripheral driving circuit 31, 32 of Kusumoto or to otherwise achieve the features of the present amended independent claims.

Chen and Freeman do not cure the deficiencies in Arledge, Kusumoto and AAPA. Chen is relied upon to allegedly teach "the use of an adhesive agent ... to connect the LCD ... to the substrate" (page 10, Paper No. 20080313), and on Freeman to allegedly teach "an IC card that uses [a] wireless communication element" (page 11, Id.). However, Arledge, Kusumoto and AAPA, Chen and/or Freeman, either alone or in combination, do not teach or suggest why one of ordinary skill in the art at the time of the present invention would have had a reason to add a memory and a CPU to the display driver 70 of Arledge, or to the peripheral driving circuit 31, 32 of Kusumoto.

Therefore, the Applicant respectfully submits that the Official Action has not provided a proper or sufficient reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify Arledge, Kusumoto and AAPA, Chen and/or Freeman or to combine reference teachings to achieve the claimed invention.


In the present application, it is respectfully submitted that the prior art of record, either alone or in combination, does not expressly or impliedly suggest the claimed invention and the Official Action has not presented a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

For the reasons stated above, the Official Action has not formed a proper *prima facie* case of obviousness. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

New dependent claims 34-37 have been added to recite additional protection to which the Applicant is entitled. For the reasons stated above and already of record, the Applicant respectfully submits that new claims 34-37 are in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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